

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DENTON UTZ,	:	
Petitioner,	:	
v.	:	Civil Action No. 01-389J
RAYMOND J. SOBINA, SUPERINTENDENT,	:	
S.C.I. SOMERSET,	:	
Respondent	:	

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for a Report and Recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and subsections 3 and 4 of Local Rule 72.1 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on April 12, 2006, docket no. 14, recommending that the petition be denied, and a certificate of appealability denied.

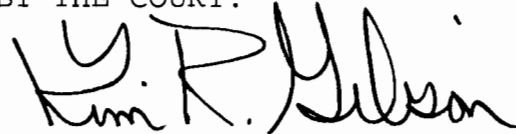
The parties were notified that pursuant to 28 U.S.C. § 636(b)(1), they had ten days to serve and file written objections to the Report and Recommendation. Petitioner sought and was granted an extension of time to file objections, docket no. 15, docket no. 16, but has not filed objections, and the time to do so has expired.

After review of the record of this matter together with the Report and Recommendation, and noting the absence of timely objections thereto, the following order is entered:

AND NOW, this 22nd day of May, 2006, it is

ORDERED that the petitioner's petition for a writ of habeas corpus is denied. A certificate of appealability is denied. The Report and Recommendation is adopted as the opinion of the Court. The Clerk shall mark this matter closed.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson". The signature is written in a cursive, flowing style.

KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice to:

Denton Utz DJ-4561
S.C.I. Somerset
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Somerset, PA 15510

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45 North George Street
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